



**Delaware Bicycle Council
December 3, 2003
DelDOT Administration Building
Meeting Minutes**

Members Present

Don Carbaugh, Chair and New Castle County Representative
George Heberling, DE State Police Representative
Judi Jeffers, At-Large Representative
Laura Madara, DNREC Representative
Lisa Moore, Office of Highway Safety Representative

DelDOT Support Staff Present

Fritz Schranck, Deputy Attorney General, DelDOT
Joseph Cantalupo, Assistant Director, Division of Planning
Wendy Bernard, Administrative Assistant

Members Absent

Fred Breukelman, Dept. of Public Health Representative
Danna Levy, Council on Greenways & Trails Representative
Tim Plemmons, At-large Representative
Janet Ray, Dept. of Education Representative
Paul Stevenson, NCC Representative
Calvin Weber, DelDOT Representative
Amy Wilburn, At-large Representative
Timothy Willard, Sussex County Representative

The meeting was called to order at 5:21 p.m.

I. Welcome and Introductions

Council Membership Update

Don informed the Council members that the Council was almost up to full strength. There had been and were going to be some new appointments and reappointments including:

- Harry Issacs as a new member representing the Council on Transportation;
- Sgt. Heberling, Laura Madara, Lisa Moore and Paul Stevenson were all reappointed;
- Calvin Weber was appointed as a DelDOT representative

The Kent County Representative seat is the only one still open.

In keeping with membership discussions, Don commented on the lack of attendance at the meetings lately. Since it was time to schedule the following years meeting dates,

he asked if anyone had suggestions on how to increase attendance. The only requirement is that there has to be five meetings a year. There was a suggestion to have the meetings be from 5-6p.m. and only until 7p.m. during the busy months. Wendy also offered to send e-mail reminders for the meetings a few days ahead of time.

II. Old Business

Medical Information Carrie System (MICS)

Don informed the Council that the MICS's ordered had come in and he had labeled them "Compliments of Delaware Bicycle Council". DelDOT will store them for the DBC if anyone needs some to hand out.

Shoulder Sweeping & Maintenance

Don spoke to Secretary Hayward regarding this issue. Secretary Hayward asked Don to forward him the list of roads and indicated that he would work on getting it done. Fritz reminded the Council that there is a requirement of the EPA Pollution Control called the NPDS Permit which requires DelDOT regularly sweep roads in New Castle County north of the canal. Don said that he hasn't noticed any improvement on the route but has noticed sweepers on I-95.

III. "Task Updates"

Rail to Trail

Don informed the Council that there was a trail opening the next day in Sussex County going from Lewes to Rehoboth. Fritz mentioned he would like to eventually see a time-trial bicycle race on this trail.

Don also stated that he spoke with Bob Carver of DelDOT who is the Pipeline Manager. Mr. Carver says he received a nomination for a project including the rail line from Georgetown to Lewes. Currently that rail only has 1 or 2 rail cars use it a week and DelDOT is considering upgrading the area roads for trucking purposes and converting the rail to an approximate 18-mile trail. Georgetown is also currently upgrading its Rail Station and the rail conversion would help that be more useful.

Don agreed that there currently isn't a good route from Georgetown to the beach and this trail would be very nice.

DelDOT is also working on the Pomeroy Line from Newark to Avondale, PA through the White Clay Creek State Park. Don mentioned how the Hall trail in Newark is an East-West trail and very popular and hopefully PA will pick up the Pomeroy Trail from their border and it will be just as popular.

The New Castle to Wilmington trail doesn't have much new to report. The City is starting some work, but the river crossing is still a problem.

It was mentioned that the trails near the C/D Canal would make a great connection from Delaware City to Chesapeake City. Cape Cod, Massachusetts is a nice example of how this trail would work well.

Don also understands from Joe C. that the DelDOT rail-trail study will be taken up again.

IV. New Business-Safety Issues

Laws on Biking on Shoulders

Don wanted some clarification on what the actual law is regarding bicyclists traveling on state roads. Fritz stated that the DE Code 21 Sec 101 states that bicycles are allowed to travel on a state roadway except where posted otherwise. Also, the roadway definition does not include the shoulder. DE roads don't really have many shoulders, but if a particular road does have one, bicyclists are allowed to legally travel in the travel lanes as well as on the shoulder.

This discussion was brought about due to an accident involving a bicyclist traveling on Rt. 52. The accident occurred when the cyclist was traveling in the shoulder, passing cars that were stopped for a light. One of the vehicles stopped in traffic allowed a truck traveling in the opposite direction to make a turn in front of him. When the truck made this turn, there was a collision between the cyclists and the truck. The question this raises is who is at fault. Bud H. commented that without knowing the specifics of the accident, there could be several citations possible for all involved. He also stated that these types of cases are hard to investigate due to witnesses being heavily relied on.

Don wondered if a reference could be added to the DE State Code pertaining to the use of shoulders by cyclists. He stated that other states have references such as this that could be used as examples. He also asked, in reference to the accident, if since the case law doesn't specify bicyclists in particular, do they revert to bicyclists being considered vehicles and therefore not allowed to travel in shoulders. Don also asked if the lane had been a designated bike lane, if that would have made a difference.

Since Joe Cantalupo was late in getting to the meeting, he briefly went over a few topics:

- The Transportation Enhancement program was working on part of the NCC trail and that project is currently out to bid;
- The Pomeroy Trail has the appraisals done and Real Estate is currently buying right-of-way;
- The Rail-Trail study should be resurrected by the first of the year;
- The Bicycle and Pedestrian Master Plans invitation letters to be on the committees are to go out this week.

Don asked if since part of the hiring freeze was lifted if Joe was going to try and fill the Bicycle/Pedestrian Coordinators position. Joe said not at this point because so far having members of his section work on everything by committee is working out well.

Bud H. asked if he could have some accident data for Rt. 1 in Sussex Co. Joe asked how he wanted the information. There was some discussion on which would be the best way to look at the data.

Meeting adjourned at 7:01 pm.